THE HON'BLE MS. JUSTICE G. ROHINI

WRIT PETITION NO.9319 of 2007

Date: 27.4.2007

Between:
B.B. Raju, S/o. Late B. Purushotham,
Occ: Railway Service,
R/o. 12-10-397 (658, Seethaphalmandi,
Secunderabad.

..... PETITIONER

AND

Government of Andhra Pradesh
represented by its Secretary,
Secretariat, Hyderabad and others.

.. RESPONDENTS

THE HON'BLE MS. JUSTICE G. ROHINI

WRIT PETITION NO.9319 of 2007

ORDER:

This writ petition is filed questioning the notice dated 24-3-2007 issued by the 2nd respondent under Section 4(1) of the A.P. Public Premises (Eviction of Unauthorized Occupants) Act , 1968.

On the face of it, the impugned notice is a show cause notice under which the petitioner was called upon to show cause as to why an order of eviction should not be made. It is also clear from the notice that the petitioner was given time till 30.4.2007 for submitting his explanation.

Though the learned counsel for the petitioner contended that the impugned notice is without jurisdiction, since it is always open to the petitioner to raise such an objection in response to the impugned show cause notice, I am of the opinion that the interference by this Court at this stage is unwarranted.

However, the learned counsel for the petitioner submitted that the impugned notice was served on the petitioner only on 26.4.2007 and since the Act contemplates ten clear days notice, the petitioner may be granted further time for submitting his explanation.

Accordingly, the writ petition is disposed of granting liberty to the petitioner to submit his explanation to the impugned show cause notice on or before 7.5.2007. If any such explanation is submitted within the time mentioned above, the respondents are directed to consider the same and pass appropriate orders in accordance with law.

G. ROHINI,J

Date: 27th April, 2007

Note: Furnish c.c. by tomorrow
B/o

pnb